

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

DECEMBER 3, 2013

The following is a summary of the December 3, 2013 Meeting:

- I. Meeting called to order at 9:04 AM by Randy Moore, Chairman. Members present were Randy Moore, Gerald Kendrick, Ricky O'Quinn and Phillip Hale. Also present were Mary Gibson, Regulatory Boards Administrator, and Sharon Pigeon, Sr. Assistant Attorney General.**
- II. Opening statement delivered by Randy Moore, Chairman.**
- III. Motion made and seconded to accept December 3, 2013, meeting agenda and approve November 5, 2013, meeting summary. All members were in favor to approve.**
- IV. Review of Virginia Substance Abuse Cases (Closed Session)**

Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.

V. Open Agenda

In response to the Board's inquiry from the last meeting regarding the Senator Webb Grant, Mary Gibson checked with the Cumberland Mountain Community Services group, one of the three community services board providers among which the funds were divided. The total amount of this grant was \$285,000, and was a one-year grant with no cost extension. These funds benefited DMME clients through Phase I of supported treatment and case management, and also supported medication assisted treatment for six months for participants. In preparation of submittal of additional grant request proposals, the Board advised verifying additional facts regarding the Webb Grant expenditures in terms of monies spent on miners, miners families, etc. The Board discussed the timing of submitting grant requests, and it is recommended that requests may be applied for during the present Governor's administration, with follow-up communications to the Attorney General's Office made as necessary.

The Board had recommended finding a provider for random substance abuse testing for DMME clients who live in the West Virginia area. Member Hale recommended and provided Ms. Gibson with contact information on Reality Drug Testing of Princeton, West Virginia. Ms. Gibson provided the Board with a handout detailing their fees for varied screens. Consensus of the Board was to forego use of quick testing by the lab. The Board agreed to use the vendor, and to submit testing requests through the use of DM's form which clearly states the DMME panel and type of testing in each instance. The Board discussed testing of hair follicles and the frequency of this type testing. Current pricing by DM's other providers will be compared to those of Reality Drug Testing, and can be used in negotiating their prices.

Ms. Gibson provided the updated copy of the recap spreadsheet of number of substance abuse cases. The number of cases has slowed and that includes those reported from Kentucky and West Virginia. Randy Moore is scheduled to meet with West Virginia officials next week, and he will encourage them to promptly forward notifications of their substance abuse cases to Virginia.

VI. Next Meeting

Next meeting will be January 7, 2014.

VII. Adjournment

Meeting adjourned at 11:00 AM.